

REMARKS

Claims 31-34 are rejected under 35 USC 102(b) as anticipated by or, in the alternative, under 35 USC 103(a) as obvious over US Patent No. 5,626,913 (Tomoeda et al.). The rejection is respectfully traversed.

Claims 31, 32, and 34 are currently amended. Claim 31 is amended based on the specification (specifically page 31, line 24 to page 32, line 14) with no new matter added. Claims 32 and 34 are amended in view of amended claim 31.

The present invention comprises "resist solution supplying means for supplying a resist; affinitive material supplying means for supplying an affinitive material, the affinitive material being affinitive with a developing solution; mixing means for mixing the resist supplied from the resist solution supplying means and the affinitive material supplied from the affinitive material supplying means, to obtain a mixed resist" as recited in claim 31.

Thus, according to the present invention, since a material having an affinity is non-uniformly distributed on the front surface side of the resist film, a layer that is easily developed can be formed in a region on the front surface side (page 5, lines 9-14). As a result, even if the exposure depth and exposure width vary with half-exposed regions, the uniformity of the residual film of the resist of the half-exposed regions can be improved. Thus, the distances of electrodes that will be formed later become uniform (page 7, line 24 to page 8, line 2, Figs. 6 and 7).

According to the present invention, since the affinitive material has an affinity to the developing solution, it tends to reside in the front side layer (R1 of Figs. 6 and 7) in the mixed resist film (RR of Figs. 6 and 7). As a result, the development of the front side layer (R1) is promoted. In contrast, the development of the rear side layer (R2 of Figs. 6 and 7) is demoted in comparison with the front side layer (R1). Thus, even if the exposure depths vary as with regions (L1, L2, and L3 of Figs. 7), only the front side layer (R1) is developed. When the depth of the front side layer (R1) is constant, the residual

resist film that has been half-exposed becomes uniform (for example, the aspect ratio, the pitch, and so forth of the resist pattern that has been developed become constant). Thus, after the resist is etched, the distances of electrodes that are formed become uniform (page 35, lines 3-18).

The applicant respectfully submits that the above advantages cannot be obtained from US Patent No. 5,626,913 (Tomoeda et al.). Further, it is respectfully submitted that the applied art fails to teach or suggest the features of claim 31 as amended and discussed above. Thus, it is respectfully submitted that one of ordinary skill in the art could not modify the features of the applied art to arrive at the claimed invention because the applied art is devoid of all the features of the claimed invention. As a result, it is respectfully submitted that claim 31 is allowable over the applied art.

Claims 32-34 depend from claim 31 and includes all of the features of claim 31. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 1 is allowable as well as for the features they recite.

Withdrawal of the rejection is respectfully requested.

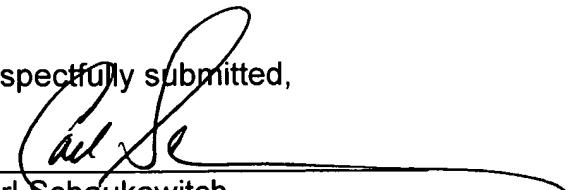
It is respectfully submitted that the pending claims are believed to be in condition for allowance over the prior art of record. Therefore, this Amendment is believed to be a complete response to the outstanding Office Action. Further, Applicant asserts that there are also reasons other than those set forth above why the pending claims are patentable. Applicant hereby reserves the right to set forth further arguments and remarks supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Dated: November 5, 2008

Respectfully submitted,

By 
Carl Schaukowitch

Registration No.: 29,211
RADER, FISHMAN & GRAUER PLLC
Correspondence Customer Number: 23353
Attorney for Applicant

Enclosure(s): Amendment Transmittal

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